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IT IS SO ORDERED.

Dated: December 1, 2022




C. Kathryn Preston
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In re:	:	Case No. 22-52799
	:	
Evergreen Site Holdings, Inc.	:	Chapter 11
	:	
Debtors	:	Judge C. Kathryn Preston

**ORDER DENYING MOTION FOR ORDER DIRECTING REG MARTIN,
PURPORTED RECEIVER FOR HOCKING PEAKS ADVENTURE PARK, LLC,
THE LAW FIRM OF STRIP, HOPPERS, LEITHART, MCGRATH, &
TERLECKY, CO., AND SHARON EDWARDS, HOCKING COUNTY, OHIO,
CLERK OF COURTS FOR TURNOVER OF CERTAIN FUNDS TO DEBTOR
AND FILE AN ACCOUNTING REGARDING SAME
(Doc. 52)**

This cause came on for consideration of the *Motion For Order Directing Reg Martin, Purported Receiver for Hocking Peaks Adventure Park, LLC, The Law Firm of Strip, Hoppers, Leithart, McGrath, & Terlecky, Co., and Sharon Edwards, Hocking County, Ohio, Clerk of Courts for Turnover of Certain Funds to Debtor and File an Accounting Regarding Same* (the “Motion”) (Doc. 52), filed by Evergreen Site Holdings,

Inc. (“Debtor”) on November 23, 2022. Debtor is seeking turnover of funds from Reg Martin, Strip, Hoppers, Leithart, McGrath, & Terlecky, Co., and the Hocking County Clerk of Courts. The Court having considered the Motion finds that the Motion fails to comply with Federal Rule of Bankruptcy Procedure 7001, which states, in relevant part, that “a proceeding to recover money or property, other than a proceeding to compel the debtor to deliver property to the trustee, or a proceeding under § 554(b) or § 725 of the Code, Rule 2017, or Rule 6002” requires the filing of an adversary proceeding. The Motion fails to state facts which would except the matter from the scope of Fed. R. Bankr. P. 7001. Accordingly, it is

ORDERED AND ADJUDGED that the Motion filed by the Debtor on November 23, 2022, is **DENIED** without prejudice.

IT IS SO ORDERED.

Copies to:
Default List and

Sharon Edwards
Hocking County, Ohio Clerk of Courts
1 E. Main Street, #304
Logan, Ohio 43138

Strip, Hoppers, Leithart, McGrath & Terlecky Co.
575 S. Third Street
Columbus, Ohio 43215

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